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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

-and-

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric
Company
☒ Affects both Debtors

** All papers shall be filed in the lead case,
No. 19-30088 (DM)*

Chapter 11
Bankr. Case No. 19-30088 (DM)
(Jointly Administered)

**AD HOC GROUP OF SUBROGATION
CLAIM HOLDERS MOTION FOR LEAVE
TO FILE SUR-REPLY**

[No Hearing Requested]

1 Pursuant to Northern District of California Bankruptcy Local Rule 9013-1(e) and Northern
2 District of California Local Rule 7-11, the Ad Hoc Group of Subrogation Claim Holders (the “**Ad**
3 **Hoc Subrogation Group**”) in the above-captioned chapter 11 cases of PG&E Corporation and
4 Pacific Gas and Electric Company (collectively, “**Debtors**”), by its attorneys Willkie Farr &
5 Gallagher LLP and Diemer & Wei, LLP, hereby submits this Motion for Leave to File Sur-Reply
6 (“**Motion for Sur-Reply**”) in order to address arguments raised for the first time in the *California*
7 *State Agencies’ Objection to Response of Fire Victim Trustee to Remaining Objection Regarding*
8 *Fire Victim Trust Documents and Ad Hoc Subrogation Group Limited Opposition* [Docket No.
9 7917] (the “**Objection**”). In support of the Motion for Sur-Reply, the Ad Hoc Subrogation Group
10 respectfully represents as follows:

11 The Objection raises for the first time a clarification that counsel for the Ad Hoc Subrogation
12 Group made on the record of the October 23, 2019 hearing on the subrogation RSA. The Ad Hoc
13 Subrogation Group files this Motion for Sur-Reply to address this issue first raised in the Objection.

14 The Northern District of California routinely grants leave for parties to file sur-replies in order
15 to address arguments raised for the first time in a reply brief. *See, e.g., GT Nexus, Inc. v. Intrtra, Inc.*,
16 2014 WL 3373088, 2014 U.S. Dist. LEXIS 93469, at 2 (N.D. Cal. July 9, 2014); *Toomey v. Nextel*
17 *Commc’ns, Inc.*, 2004 WL 5512967, 2004 U.S. Dist. LEXIS 30793, at 2 (N.D. Cal. Sept. 23, 2004).
18 The proposed Sur-Reply, attached hereto as Exhibit A, is intended to address solely the reference to
19 statements made at the October 23, 2019 hearing, which was raised for the first time in the
20 Objection. As a result, the Court should permit the Ad Hoc Subrogation Group to submit the limited
21 Sur-Reply.

22 For the foregoing reasons, the Ad Hoc Subrogation Group respectfully requests that the Court
23 grant it leave to file the Sur-Reply.

1 Dated: June 12, 2020

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4 **DIEMER & WEI, LLP**

5 /s/ Kathryn S. Diemer

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